

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION**

No 12-md-2323-AB

MDL No. 2323

**THIS DOCUMENT RELATES TO THE  
FOLLOWING ACTIONS:**

ABDULLAH v NFL, et al	12-CIV-8055
ADAMS v NFL, et al	13-CV-8763
ALLEN v NFL, et al	13-CV-6102
ANDREWS v NFL, et al	12-CV-5633
BAGGS v NFL, et al	13-CV-5691
BALLARD v NFL, et al	13-CV-2273

**PLAINTIFFS' MOTION TO SCHEDULE RULE 16 PRETRIAL CONFERENCE**

Plaintiffs move this Court to schedule a pretrial conference under Federal Rule of Civil Procedure 16 with counsel for Plaintiffs and the Riddell Defendants<sup>1</sup> in the above-captioned actions. Plaintiffs also join other Plaintiffs' similar request. Dkt. No. 6753.

1. Plaintiffs, all former NFL players, their spouses, or personal representatives, brought the instant actions against, among others, the Riddell Defendants, in relation to chronic traumatic brain injuries Plaintiff players suffered while wearing Riddell helmets as professional football players.
2. Plaintiffs' claims are based in strict liability, design defect, failure to warn, negligence, and fraud, as well as, in many cases, loss of consortium and wrongful death.

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<sup>1</sup> Namely, Riddell, Inc., All American Sports Corporation, Riddell Sports Group, Inc., Easton-Bell Sports Group, Inc., Easton-Bell Sports, Inc., EB Sports Corp., and RBG Holdings Corp.

3. On August 30, 2010, the Riddell Defendants moved to dismiss based on LMRA § 301 preemption. Plaintiffs filed an opposition on October 31, 2012. The Riddell Defendants replied on December 17, 2012.

4. This Court has not yet ruled on the Riddell Defendants' motion to dismiss.

5. The Riddell Defendants also filed a Motion to Sever on August 30, 2012.

6. This Court granted the Motion to Sever on December 1, 2015, but vacated that Order on January 27, 2016.

7. Plaintiffs believe that a pretrial conference will expedite the disposition of these actions.

Therefore, Plaintiffs respectfully move that this Court schedule a pretrial conference with Plaintiffs and the Riddell Defendants at the earliest possible time convenient to the Court. A proposed order for the Court's consideration is attached.

Dated: March 2, 2016

Respectfully submitted,

By: /s/ Wendy R. Fleishman

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*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing is being served upon all counsel of record via the CM/ECF system this 2nd day of March, 2016.

By: /s/ Wendy R. Fleishman

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**[PROPOSED] ORDER**

Plaintiffs' Motion to Schedule Rule 16 Pretrial Conference is GRANTED. Counsel for Plaintiffs and the Riddell Defendants<sup>1</sup> in the above-captioned actions shall attend a pretrial conference in Courtroom 7-B of the James A. Byrne U.S. Courthouse, Philadelphia, Pennsylvania on \_\_\_\_\_, 2016 at \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Anita B. Brody  
United States District Judge

<sup>1</sup> Namely, Riddell, Inc., All American Sports Corporation, Riddell Sports Group, Inc., Easton-Bell Sports Group, Inc., Easton-Bell Sports, Inc., EB Sports Corp., and RBG Holdings Corp.